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Official Defends Mail Surveillance

The Postal Service yesterday defended the mail surveillance it conducts for the Agriculture Department, Navy, and dozens of other government departments on the grounds they are law enforcement agencies.

William J. Cotter, chief postal inspector, cited some examples of the 4,400 surveillances it conducted last year at a hearing of the House Judiciary administration of justice subcommittee.

Cotter said Agriculture wanted to know if it was being defrauded. The Navy, Cotter said, believed one of its employees with access to classified information was in contact with foreign governments.

After the hearing, Cotter, a former FBI agent and Central Intelligence Agency employee, said Congress might well question why some "rinky-dink" agencies are allowed by Postal Service regulations to initiate mail surveillance. But he declined to say the practice should be stopped.

Cotter told the subcommittee

the surveillance, known as mail cover, does not entail opening mail. Instead, it involves making a record of the sender's name and address from the outside of the envelope.

He said any local, state, or federal law enforcement agency may have a mail cover conducted if it views the surveillance as necessary to protect national security, apprehend a fugitive, or solve a crime.

With the exception of activities publicly admitted to by the CIA, Cotter said, no mail is opened without a court order. There were 431 such orders last year, he said.

Asked by Rep. Robert F. Drinan (D-Mass.) if court orders should also be required for mail covers, Cotter said such a law would hamper some investigations because many mail covers are undertaken when there is no evidence to show a crime probably was or will be committed—the criterion required by courts before orders are issued.

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